



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 24, 2020

Via ECF

The Honorable Paul A. Crotty
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Courtroom 14C
New York, New York 10007

Re: *United States v. Joshua Adam Schulte, S2 17 Cr. 548 (PAC)*

Dear Judge Crotty:

The Government writes in response to the defendant's letter, dated January 17, 2020, in which the defendant complains that he is unable to conduct meaningful investigation into witnesses from the Central Intelligence Agency (the "CIA") based on classification rules. The defendant's letter was first time that the Government had heard of the issue. The Government has now consulted with the CIA, and, to be clear, the Government or the CIA do not object to the defense, for example, conducting Internet searches for the witnesses' names. The only limitation that the Government believes is appropriate is that the defense should not conduct these searches in a way that specifically ties the witnesses' name to their employment at the Agency. Thus, to use the example provided by defense counsel today, the defense could take a witness's name that was provided in classified discovery and conduct public records searches. Moreover, the Government also notes that it already has provided the defense with information from the witnesses' personnel files that pertain to, for example, mishandling of classified information or violation of CIA policies.

Respectfully submitted,

GEOFFREY S. BERMAN
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By: _____ /s/
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Cc: Defense Counsel (via ECF)